IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(C).No. 30867 of 2007(Y)

PETITIONER:

K.V. KUNJIPPA, AGED 48, S/O MOIDU,
KUTTIPURATH VALAPPIL,P.O. NANNAMMUKKU,
CHANGARAMKULAM, MALAPPURAM DISTRICT,

BY ADV. SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENTS:

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1. TAVANUR GRAMA PANCHAYAT, TAVANUR P.O.,
MALAPPURAM DISTRICT, REPRESENTED BY
ITS SECRETARY, PIN:676505.

2. DISTRICT COLLECTOR, MALAPPURAM, PIN:676505.

3. THE TAHSILDAR, PONNANI, MALAPPURAM DIST., PIN:676506.

4. THE SUB INSPECTOR OF POLICE,
CHANGARAMKULAM POLICE STATION,
CHANGARAMKULAM, MALAPPURAM DISTRICT, PIN:676505.

R2 TO R4 BY SR.GOVT.PLEADER SRI.K.J.MOHAMMED ANZAR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

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W.P.(C)No.30867 OF 2007

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DATED THIS THE 22ND OCTOBER, 2007

J U D G M E N T

I have today passed an interim order which, according to me, grants to the petitioner all possible reliefs. In view of the interim order, the Writ Petition will stand disposed of.

(PIUS C.KURIAKOSE, JUDGE)

tgl

PIUS C. KURIAKOSE, J.

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W.P.(C)No.30867 OF 2007

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DATED THIS THE 22ND OCTOBER, 2007

O R D E R

Though Mr.K.J.Mohammd Anzar, Government pleader opposes the grant of interim relief on the reason that the period mentioned in the pass had already expired when the transportation was being made, I am inclined to grant interim release of the vehicle to the petitioner since in my opinion no useful purpose will be served from anybody's point of view by allowing the vehicle to idle in the precincts of the police station. Therefore, there will be an interim order in the following terms:-

The petitioner is directed to remit cash Rs.10,000/- with the 3rd respondent. He is also directed to file an affidavit before the 3rd respondent, undertaking to produce the mini lorry having registration No.KL.11K-8973 in good running condition, if and when directed in that regard by the 2nd respondent or any other competent authority. The 4th respondent-Sub Inspector of Police upon noticing the original of the cash receipt and photo copy of the affidavit will forthwith release

the mini lorry to the petitioner. It is however made clear that the release as directed above is provisional and subject to the final outcome of the adjudication proceedings which will be finalised by the District Collector within five months from today.

Hand over the order.

(PIUS C.KURIAKOSE, JUDGE)

tgl